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January 30, 2004

BY HAND AND ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
ATTN: CALEA 107(c)
445 12th Street, S.W.
Washington, DC. 20554

Re: **PetroCom License Corporation -- Petition for Extension of CALEA
Requirements
TRS No. 8-3-550
Wireless Carrier Participating in the Flexible Deployment Program
In the Matter of the Communications Assistance for Law Enforcement Act
CC Docket No. 97-213**

Dear Ms. Dortch:

The purpose of this letter is to confirm, on behalf of our client, PetroCom License Corporation ("PetroCom"), that PetroCom has until June 30, 2004 to comply with the packet-mode capabilities requirements of section 103(a) of the Communications Assistance for Law Enforcement Act ("CALEA"). In the alternative, the Federal Communications Commission ("FCC") is asked to extend the deadline by which PetroCom is required to comply with those requirements for a period of two (2) years.

As the Commission is aware, PetroCom submitted a request on June 22, 2000 for relief from the then applicable assistance capability requirements of CALEA. On October 3, 2001, the FCC granted PetroCom's request, extending until June 30, 2002, PetroCom's required compliance with the assistance capability requirements. Pursuant to the FCC's Public Notice DA 01-2243 (released September 28, 2001),^{1/} PetroCom supplemented its granted extension

^{1/} *Common Carrier and Wireless Telecommunication Bureaus Establish Procedures for Carriers to Submit or Supplement CALEA Section 107(c) Extension Petitions, Both Generally and With Respect to*

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request on November 19, 2001, seeking an extension, in particular, of the packet-mode portions of the interim standard (the “J-Standard”) for carrier compliance under Section 107(a) of CALEA.^{2/} On June 28, 2002, prior to the time that the Commission’s original October 3, 2001 relief would have expired, PetroCom submitted a request that the FCC extend the deadline for PetroCom to comply with all of the Section 103(a) assistance capability requirements. This request was designed to: 1) seek a further extension of the relief granted on October 3, 2001; 2) seek, for the first time, an extension of PetroCom’s obligation to comply with the so-called “punch list” portions of the J-Standard; and 3) reiterate PetroCom’s pending request (expressed in its November 19, 2001 supplement) for extension of the packet mode capability components of the J-Standard. The June 28, 2002 request sought extension of all of these assistance capability deadlines until the later of June 30, 2004, or until digital conversion of PetroCom’s system was completed. Based upon the Commission’s *2001 Public Notice*, PetroCom’s June 28, 2002 extension request is deemed granted for a maximum of two years (until June 30, 2004) unless the Commission issues a decision responsive to PetroCom’s June 28, 2002 request prior to June 30, 2004.

On November 19, 2003, the Wireline Competition Bureau and the Wireless Telecommunications Bureau extended the deadline for compliance with CALEA’s packet-mode surveillance capability requirements until January 30, 2004.^{3/} The *November 2003 Public Notice* states that wireline and wireless carriers that have complete extension requests on file with the Commission are afforded the January 30, 2004 preliminary deadline for complying with Section 103 of CALEA, “unless superseded by an earlier, final determination on the merits of particular underlying extension requests.”^{4/}

As indicated above, PetroCom submitted an extension request for all of the Section 103(a) assistance capability requirements, including the packet mode communications requirement, in June 2002. It is PetroCom’s understanding that its June 2002 request is deemed presumptively granted and the deadline for compliance with all of the Section 103(a) assistance capability requirements is extended to June 30, 2004. Accordingly, it is PetroCom’s

Packet-Mode and Other Safe Harbor Standards, CC Docket No. 97-213, Public Notice, 16 FCC Rcd 17101 (2001) (“*2001 Public Notice*”).

^{2/} The Commission extended the deadline for compliance with the packet mode requirements from September 30, 2001 to November 19, 2001, but invited carriers to seek extension of that deadline by the compliance date.

^{3/} *The Wireline Competition and Wireless Telecommunications Bureaus Announce a Revised Schedule for Consideration of Pending Packet Mode CALEA Section 107(c) Petitions and Related Issues*, CC Docket No. 97-213, Public Notice, DA 03-37722 (rel. Nov. 19, 2003) (“*November 2003 Public Notice*”).

^{4/} *Id.* at 3.

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understanding that it has an extension until June 30, 2004, rather than January 30, 2004, to satisfy CALEA's surveillance requirements for its packet-based technologies and services (as well as the core assistance and punch list capabilities). Therefore, PetroCom believes it is not obligated to file an additional extension request for packet-mode communications at this time.

The foregoing notwithstanding, in the interest of clarity, and to the extent required, PetroCom hereby renews its request for extension of the requirement to comply with the packet mode capability components of the J-Standard. PetroCom currently has no capability to deliver packet mode communications and is not expected to be able to comply with these requirements until such time as it converts its system to digital format.

If there are any questions regarding the foregoing, please contact me directly.

Cordially yours,

/s/ Russell H. Fox

Russell H. Fox

Enclosure

cc: CALEA Section 107(c) Petition
Network Service Division
Federal Communications Commission
445 12th Street, SW (Room 6-A320)
Washington, D.C. 20054